ling under clause (h) of sub-rule (2) of rule 25..."

can be introduced.

सर, यहां जो लिस्ट देखते हैं तो इसमें अभी 13 बिल इंट्रोड्यूस किए गए हैं।

सर, दूसरा मेरा कहना यह है कि एक मैम्बर दो बिल डिस्क्शन के लिए इंट्रोडयूस नहीं कर सकता। इसमें, जो अभी हमें बुलेटिन दिया गया है, एक ही मैम्बर के दो बिल डिस्कशन के लिए हैं, वह भी उस रूल की अवहेलना है और दूसरा जो 10 से अधिक बिल इंट्रोडयूज़ किए गए हैं, वह भी उस नियम की अवहेलना है।

THE VICE-CHAIRMAN (SHRI V. NARAYANASAMY): I have found that Mr. Shinde's name is there twice. Normally, according to the rules only one name should be there. Even in one lot, one Member's name should be there.

An independent Bill should be there. They will take care of it.

SHRI SUSHILKUMAR SAMBHAJIRAO SHINDE (Maharashtra): My Bill has not been coming for a pretty long time. That might be the reason. It is a very major question. It is a Constitution (Amendment) Bill for the Scheduled Castes and Scheduled Tribes. I must mention here that it had come, but the Bill on the Amendment to the Constitution on Pondicherry Bill came up that day. So this Bill was kept lingering thereby I had no occasion to discuss this Bill. That might be the reason why it has appeared for the second time.

MISS SAROJ KHAPARDE: Don't get upset.

SHRI SUSHILKUMAR SAMBHAJIRAO SHINDE: I am not getting upset.

यह जो व्यवस्था बोल रहे हैं, इसलिए मैं भी व्यवस्था का प्रश्न पूछ रहा हूं। ...(व्यवधान)...

THE VICE CHAIRMAN (SHRI V. NARAYANSAMY): No, no, there should not be any discussion on the subject. We have had enough of it.

SHRI SUSHILKUMAR SAMBHAJIRAO SHINDE: It was a very important Bill. It was to have reservation for the Scheduled Castes and Scheduled Tribes in private firms and cooperative societies. That Bill has been pending for a pretty long time. I will be completing my term next year and the Bill has not come up for discussion.

THE VICE-CHAIRMAN (SHRI V. NARAYANSAMY): Thank you. Now the subject is closed. We will now take up further discussion on the Constitution (Amendment) Bill, 1992 (to amend article 77). Shri Jibon Roy. He is absent. Shri Satchidananda. He is absent. Shri Pranab Mukherjee.

THE CONSTITUTION (AMENDMENT) BILL, 1992 (TO AMEND ARTICLE 77)—(CONTD.)

SHRI PRANAB MUKHERJEE (West Bengal): Mr. Vice-Chairman, sir, first of all I would like to congratulate Mr. M.A. Baby for having drawn the attention of the House and through this House of a large section of people about an important aspect of our constitutional system. When I listened to him and the other Members I was impressed and the House was also impressed that this matter should be debated and that we should try to analyse the propositions of the hon. member contained in this Bill from different angles. He is suggesting that the Parliament should have a say in regard to ratification of international agreements.

In any Parliamentary system it is desirable that the Parliament should have the authority and that it should exercise that authority effectively. He quoted the Constitutions of a large number of countries where this provision exists. He has also pointed out in the Statement of Objects and Reasons that with growing international developments, situations are developing in such a way that the Parliament, and through Parliament the people, should have a say and that it should not be confined merely to the executive.

There are two sides of the picture. It is true that in a large number of countries, particularly in advanced democracies like U.S.A. and France and in certain other countries, this provision regarding ratification is there. But, at the same time, some of these provisions have also created problems. I will give you two examples from the recent past and two examples from a little remote past.

A large number of historians have pointed out one of the deficiencies as regards the Treaty of Versailles which was concluded after the Ist World War in 1919. In spite of an effective role which President Wilson played in finalising this Treaty as also the very crucial role which was assigned to the United States of America in the functioning of the League of Nations—the predecessor of the United Nations of today—the US Senate had refused to ratify that Treaty and the US Administration and the President became totally ineffective. According to many historians, this important international Treaty could, perhaps, have avoided the Second World War and the disaster related to it, if US Senate had a little more vision and if it had endorsed the decision of the Administration.

There is another example where it took 47 years to correct. You may be aware that after the Second World War in 1945, with a view to re-organising trade and industry and to expand economic cooperation, particularly developmental cooperation, three institutions were contemplated. Two institutions, are known as the Brettonwoods institutions, the World Bank and the I.M.F. and the third leg of this tripod was the General Agreement on Trade and Tariff. At the Havana Round of negotiations it was decided that it should have expanding power to deal with all matter relating to international trade all over the world and a much larger mandate. This again was vetoed by the US Senate and it was confined only to trade and tariff. From 1948 to 1995, it took almost 47 years to get it rectified at Marrakesh after seven years of negotiations under the Uruguay Round.

There are two recent examples which my colleagues have already pointed out. The hon. Minister of External Affairs is present here. We have been able to sign two landmark agreements for improvement in our relations with our neighbouring countries. One is with Nepal for harnessing water resources of the Mahakali and other rivers and the other is on the sharing of the Ganga waters between India and Bangladesh. Assuming that the Parliament was to ratify the agreement on the sharing of the Ganga waters, it would have been extremely difficult in today's situation. It was not easy for the Nepalese Parliament to ratify the agreement and it took some time to do that. Therefore Parliamentary ratification is not free from trouble.

But when I say these things I do not mean that the Parliament should be kept in the dark and that the authority of the Parliament should not be there. In the scheme of things in our Constitution, that authority is already there because no treaty can be implemented *ipso facto*. Any obligation whether under GATT or WTO or any other international convention is to be implemented through an Act of Parliament. As per the scheme of things in the Constitution—Entry 14 of the VII Schedule—this comes within the domain of the executive wing of the Union Government. And Article 253 of the Constitution provides that the Parliament of India has the right to make law to give effect to the various provisions of international agreements and treaties. In fact, the Indian Parliament has exercised this authority. And it is still doing so.

In 1994 I signed the WTO agreement at Marrakesh. As per that international obligation we have to amend the Indian Patents Act for providing two provisions in that Act. One is for providing Exclusive Marketing Rights to a patent holder if he has obtained the patent after the 1st of January, 1995 in any other country which is a contracting party under the WTO agreement. For providing Exclusive Marketing Rights for five years to such patent holders, we are obliged to amend

our laws and make provisions to the effect that EMRs will be provided to that patent holder. The second provision is about entertaining applications from prospective patent holders and to make an arrangement for determining the priority in the receipt of applications. That piece of legislation was passed by the Lok Sabha. But it could not be passed in the Rajya Sabha and, therefore, that could not be put into effect. Therefore, the Parliament has that right. I am not going into the merits of that decision. But technically, constitutionally, legally, the Indian Parliament has the right to assert itself. On any piece of international treaty or convention, it has that right and it can do it, not directly by ratifying the treaty but by standing in the way of not implementing the obligation by not making the laws. If the Indian Parliament considers that it will not pass that law to put into effect the terms and obligations, it can do so.

Another provision for which he wants to bring Parliamentary ratification—there are larger implications and I think it should not be brought merely with the approval and ratification of the treaty by Parliament—is in regard to article 292 and this debate is also going on. I am grateful to Mr. Baby that he has brought it and brought it with a new dimension. He would like to link it with the external borrowing. Article 292 of the Indian Constitution provides that the Government of India will have the power to borrow. That same article provides—presently there is no limitation—that Indian Parliament can make a law by prescribing a limit to which the Government of India will be able to borrow. Now, the Constitution is in operation since 26th January, 1950 and till today, the 21st March, 1997, Parliament has not passed this law. Why? It is not that Parliament is not aware of this provision, but Parliament thought that flexibility should be given to the Executive in regard to the power of borrowings.

Madam Vice-Chairperson, let us imagine a situation. Let Indian Parliament in its wisdom pass a law and fix a limit. At one point of time, not long ago, in 1980—Madam, I would not take much time, I will just make one point, then I will conclude because in Private Members' Business, I would not like to deprive others. In one way, it is my maiden speech. In my 30 years parliamentary life, I could never had the privilege of making an observation on a Private Member's Bill as a private member.

THE VICE-CHAIRMAN (MISS SAROJ KHAPARDE): Mr. Mukherjee, this is what I was going to say that this is your maiden speech on a Private Member's Bill. So, you should take your own time. There is no hurry.

SHRI PRANAB MUKHERJEE: Madam, just imagine a situation. In this year's Budget, if you look at our debt liabilities and interest payment taken together, they are about Rs. 1,28,000 crores. Our total Revenue Receipts, Tax Receipts plus non-Tax Receipts, are Rs. 1,32,000 crores. The total expenditure of the Government of India for 365 days is Rs. 2,04,000 crores and the average expenditure would be about Rs. 600 crores to Rs. 700 crores per day. But, if the Government does not have the power of borrowing, if there is a ceiling and if you fix the ceiling at a particular level then Govt's activities may come to a stand still. If the Government of India decides to pay both principal and interest in one year, then they will have to pay rupees 128000 cr. and the whole Government of India will be left with only Rs.4,000 crores to transact the business for 365 days when everyday's expenditure is roughly about Rs. 600 crores to Rs. 700 crores.

SHRI TRILOKI NATH CHATURVEDI (Uttar Pradesh): They will be more prudent.

SHRI PRANAB MUKHERJEE: I don't know whether they will be more prudent or they will be totally bankrupt, but I feel that there should be some sort of ceiling. Now, what is the question?

How this ceiling would be put? If we expect that everything should be put in strait—jacket by the legislative framework, no institution can grow. It is expected that in a Parliamentary system many things will come through conventions. Shri Chaturvedi used the exact word 'prudence'. After all, the Executive is responsible to the Legislature and this responsibility is total. Even if you want to remove a domestic hand, you have to give him some time. But with the passage of a No-Confidence-Motion, the Ministry, the political Executive could be dismissed at any point of time. Therefore, accountability is there. So, why the executive can not Function with prudence? Why these should be limited by laws? There is a second question which is much more serious.

I am one to expand the power and authority of Parliament, but if the Parliament cannot find a mechanism through which it will exercise its authority more effectively, then mere having authority and power, I must say, is not going to help. We have the power. Without the authorisation of the Parliament of India no tax can be levied. Former Comptroller and Auditor General is sitting here and is helping us by his wisdom. Without authorisation and appropriation by the Parliament, not a single paise can be withdrawn from the Consolidated Fund of India. But, what justice are we doing in exercising this authority. Just before the Private Members' Business, Madam, Vice-Chairman, we passed, if I remember correctly, an excess grant of Rs. 88,000 crores by an Appropriation Bill and a Vote-on-Account for two months of Rs. 2,32,000 crores—Rs. 2,32,000 divided by 12 and multiplied by two, we passed even without discussion. Why? The reason is that we do not have the time. We are working under constraints. So we do not have time to scrutinise these expenditure. Therefore, some mechanism has to be worked out in this regard. This is a very serious matter. If we want that the Parliament should concentrate more on international borrowing and obligations I think, Mr. Baby's proposition and theory should be discussed in a much larger context and that context is what the Parliament should discuss, what rights the Parliament should have, what should be the subjects which should be brought within the purview of the Parliament and what should not be. Many issues which we are discussing can be disposed of, to my mind, at the Panchayat level, at the district level. Many issues on which we have the exclusive jurisdiction to discuss, we do not have the time. I shall give you examples how these are happening. The first Budget of this country was just for Rs. 293 crores. The first Budget of Independent India which was presented in the month of November by Shri Shanmugam Shetty—in those days its classification was Civil Budget and Military Budget and they were taken together—the total expenditure was Rs. 293 crores. In those days when the outlay for the First Five Year Plan was Rs. 1,000 crores, Rs. 200 crores per year, the Parliament could devote 68 per cent of its time to discuss money, financial and legislative business. And today we are passing a Budget of an expenditure of Rs. 2,32,000 crores and we do not have the time! If you look at the last ten years, you will find that there were Ministries after Ministries whose demands were not scrutinised.

THE MINISTER OF EXTERNAL AFFAIRS (Shri I.K. GUJRAL): Like the Ministry of External Affairs.

SHRI PRANAB MUKHERJEE: The Ministry of External Affairs is an example. In this, just for the sake of curiosity, I counted down which of the Departments spent extra amounts and I found that it was Rs. 35 crores in the case of Ministry of External Affairs along with other Ministries. Before these Parliamentary Standing Committees, when this system was not there, many of the demands of the Ministries were not scrutinised at all. They were all put to guillotine, therefore, we did not do justice. What is to be thought of very seriously is—yes, external relations also—that the Parliament must

exercise its authority, the Parliament must be informed. I am happy in one way and I have no hesitation to congratulate my friend, Gujralji, that he is keeping the Indian Parliament informed of every major international development which is taking place, whether some agreement is signed, whether some steps are being taken because this is the exclusive jurisdiction of the Parliament. But, somehow or the other, we find that more crucial issues are not debated or discussed. We are entering a new era. In this new era, as he has very rightly pointed out in his Statement of Objects and Reasons, the traditional concept of sovereignty is being curtailed; we have more and more international obligations; more and more we will have international interaction; we will have more and more collective approach. When we are going to have a collective approach, when a number of sovereign countries are going to take decisions collectively, the traditional concept of the sovereign right is bound to have some limitations. If the Executive does not have adequate flexibility to deal with it, there would be problems. It may act in both ways. It may act as a caution, as a warning, providing a little muscle to this, a little more bargaining power for us *vis-a-vis* the other participants. On the other hand, it may put the country into a straight-jacket formula, into a straight-jacket approach.

Therefore, the question is : what should be done? I do not know how the Government would respond to this. But what I feel is that this Bill should be debated in the larger context. In this connection, I would say that Parliament also should have more expertise at its command. We are having. These things can be discussed. But we find that it is working under extreme strain. Now, in the coming two weeks, the Demands for Grants in respect of all the Ministries would be considered by the different Standing Committees. Notes for these things would have to be prepared by the Parliament Secretariat. This cannot be done if we do not have the type of expertise, if we do not have the type of expertise which is needed in respect of each and every Ministry. It is very complex today. Take, for example, the External Affairs Ministry. Foreign affairs is not just dealing with other countries by exchanging diplomats, or, merely talking about the balance of power.

Today, madam, the entire gamut has changed. The entire scenario has changed, with the emergence of multilateral organisations, with the emergence of regional organisations, with constant interaction between the multilateral and the regional organisations. I am told, one of the reasons for the success of the European Union and ASEAN as trading blocs, as economic blocs, is that the decision-makers—the Executive—have adequate flexibility. As to whether the Maastricht Treaty would ultimately be accepted or not, whether the concept of common security and common foreign policy would be accepted by the European Union or not, I am not going into that aspect. But what I find is that both in the ASEAN and in the European Union, one of the reasons behind their success is the flexibility which the Executive has, to participate and take decisions. In a country like ours, if it is linked with parliamentary approval, I submit, the type of flexibility and manoeuverability that is needed would not be available.

Therefore, Madam, I would like to suggest that there should be an informed debate and discussion on these issues. We should debate whether we need to have this provision, or, merely among ourselves, it can be decided. We should think over this as to how Parliament can exercise its authority, not merely in theory, but in effect as well, and give strength to the Executive, which is the creation of Parliament. The Executive is totally responsible to Parliament because its very existence depends on parliamentary will.

With these words, once again, I congratulate Mr. Baby for drawing our atten-

tion to this question, through this Bill. Thank you, Madam, for giving me this opportunity to speak on this Bill.

SHRI I.K. GUJRAL: Madam, Vice-Chairman, before you call upon the next speaker, I would take just half-a-minute. I take this opportunity to pay my compliments to my hon. colleague. I think it is one of the most educative speeches I have heard in my life. I must compliment him on the deep study he has made. Of course, he is a professor. Besides, he has a rich parliamentary experience, having been both on this and that side of the House. He has also a wide experience in matters of finance, economics and foreign affairs. I think his contribution is quite remarkable. My compliments to him.

SHRI PRANAB MUKHERJEE: Thank you.

THE VICE-CHAIRMAN (MISS SAROJ KHAPARDE): The whole House would like to join Mr. Gujral in complimenting the senior Member of this House, Mr. Pranab Mukherjee.

SHRI PRANAB MUKHERJEE: Thank you.

THE VICE-CHAIRMAN (MISS SAROJ KHAPARDE): Actually, I was surprised when Mr. Pranab Mukherjee said that he was going to speak on his Bill. So, Mr. Baby is fortunate enough that Mr. Mukherjee has spoken on his Bill.

SHRI M.A. BABY (Kerala): The House is fortunate enough.

THE VICE-CHAIRMAN (MISS SAROJ KHAPARDE): Yes. ...*(Interruptions)*

SHRI SATISH AGARWAL (Rajasthan): Madam Vice-Chairman, I may be given five minutes because I have to go.

THE VICE-CHAIRMAN (MISS SAROJ KHAPARDE): Do you have to catch a train?

SHRI SATISH AGARWAL: I have to go to a meeting.

THE VICE-CHAIRMAN (MISS SAROJ KHAPARDE): Do you have to catch a train to Jaipur or what?

SHRI SATISH AGARWAL: Not now.

THE VICE CHAIRMAN (MISS SAROJ KHAPARDE) Please.

SHRI SATISH AGARWAL: Thank you, Madam Vice-Chairman.

Normally, I don't participate in Private Members' Business because of shortage of time. That is my fault, of course. I should have participated in some important discussions.

At the outset, I must compliment Mr. M.A. Baby for bringing forward this Bill for discussion in this House. He deserves my compliments. A great controversy arose in this House and in the whole of the country when the government of India signed the GATT Treaty without ratification by Parliament, and probably that provoked Mr. M.A. Baby to come forward with such a Bill. I am one with him. I endorse all that he has said on the floor of Parliament in support of such a Bill being enacted by Parliament for ratification of all international treaties.

I have got his full speech also with me. But, I am sorry that due to paucity of time and, more particularly, on account of an urgent meeting of the Computers Committee held in the Deputy Chairman's chamber, I missed the speech of my learned colleague, Mr. Pranab Mukherjee, who has been so well complimented by my colleague, Shri I.K. Gujral.

SHRI M.A. BABY: The Leader of the House.

SHRI SATISH AGARWAL: The Leader of the House is probably the Prime Minister now, but he is the *de jure* Leader of the House. The *de facto* Leader of the House is still Mr. I.K. Gujral.

You are mostly with us. You were mostly with us not only on that side but for many more years on this side also. More particularly, you were my neighbour also.

Madam Vice-Chairman, I don't want to repeat all that has already been said. But, I want to emphasise only one thing here, why this should be done.

Now, which is the most supreme document which is applicable to 95 million people of this country? The Gita is not acceptable to everybody. The Manusmriti is not acceptable to everybody. The Quran is not acceptable to everybody. The Bible is not acceptable to everybody. No other mandate or diktat or law, old or new, is acceptable or is applicable to the entire population of this country, that is, 950 million people of this country. The only one document which is applicable to everybody without differentiation in caste, creed, religion or sex is the Constitution of India.

Under the Constitution of India, no law can be made by Parliament which is contrary to the spirit of the Constitution. That will be declared *utra vires*. Not even a single penny can be spent without authorisation from Parliament. Not even a single penny of tax can be levied without authorisation of Parliament. Nothing can be done without the authority of Parliament or the State Legislature.

If nothing can be done and if the citizens of this country or this nation cannot be bound down by any executive action without authorisation from Parliament or the State Legislature, it looks very ridiculous that the future of this nation can be bound down or it can be put under a bondage with international treaties. Without ratification from Parliament, how can the whole future of the people of this country be mortagaged? I use that word. This is something against the spirit of democracy. The people should be involved in this whole process, because there is no concensus on this as we had on non-alignment, on our foreign policy. On certain issues there has been a near concensus in this country, but these are the issues where there is so much of divergent opinion in the country. Majority of the people are not in favour of signing the G.A.T.T. and W.T.O. agreements. So, the Parliament should have an opportunity to debate it. Ultimately, it is the majority in the House which will prevail. If the Government, which sings the treaty, has a majority in the House, it can get it passed. There is no problem. Madam, on 14th December, 1993, the Standing Committee of Parliament on Commerce, headed by Mr. I.K. Gujral, had submitted its report on the Dunkel Draft. I presume your Government should be bound by what the Report had said. You should prevail upon your Government to accept the request of Mr. M.A. Baby that this particular Bill be passed by the House. Lots of things can be said on either side, but I do not think there has been any opposition to the spirit of the Bill moved by Mr. M.A. Baby. Moreover, to the best of my knowledge more than five dozen countries follow this practice. No international treaty comes into effect unless. No international treaty comes into effect unless the Senate, the House of Representatives or the Parliament of that particular country ratifies it. This is a treaty which is applicable, not for five or ten years, but is binding on the whole nation for the future. So, how can you bind the whole country without the people's representatives of this country having an opportunity to deliberate and discuss on it. Without their consent how can you bind this country? If there is a constitutional lacuna and there is no mandate given by the Constitution to Parliament to discuss international treaties before they are ratified, this Constitutional provision may be amended. So, either the amending Bill moved by Mr. M.A. Baby to that effect be accepted or the hon. Minister must assure this House that he would bring an amendment Bill in the next phase of this Budget Session. With these words I wholeheartedly support the contents, the intention and the spirit of the Bill moved by Mr. M.A. Baby. I stand by him and my party also stands by him.

*SHRI V. NARAYANASAMY (Pondicherry): Madam, Vice-Chairperson....

THE VICE-CHAIRMAN (MISS SAROJ KHAPARDE): Are you speaking in Tamil?

SHRI V. NARAYANASAMY: Yes, Madam. I have already given in writing in the morning that I would speak in Tamil.

THE VICE-CHAIRMAN (MISS SAROJ KHAPARDE): It is very unusual.

SHRI V. NARAYANASAMY: No, Madam, we have decided, every Friday.....

THE VICE-CHAIRMAN (MISS SAROJ KHAPARDE): No., Mr. V. Narayanasamy is very unusual in Tamil.

SHRI R.K. KUMAR (Tamil Nadu): We can make him VU Narayanasamy, very unusual Narayanasamy.

SHRI V. NARAYANASAMY: Madam, my friend, Hon'ble Member Mr. M.A. Baby has brought in a Bill to amend Article 77 of the Constitution for incorporating a new provision in the Constitution. Through this amendment, he wants that any Treaty or Agreement entered into by the Government with any foreign country, on matters of culture, defence, trade, financial assistance and so on should be laid before Parliament for ratification. In the first look we might be tempted to agree with him. But if we think about it deeply and forsee the end result of such provision, our reaction is different.

Madam, our Prime Minister, President and Vice-President keep visiting foreign countries and they do sign certain Agreements there. So also when foreign dignitaries visit our country, Agreements are signed. At times we do sign agreements on defence matters. Such agreements are very important for our discussion. For the security of our nation, we enter into agreements with foreign countries on defence matters regarding sale or purchase of defence equipments. We enter into certain agreements for the development of our nation and we do exchange expertised on matters such as science and technology. I would like to ask whether we can place all the facts about all such agreements before Parliament? If defence secrets are discussed in Parliament, shall we not run the risk of the world knowing about our defence secrets? Will it be in the interest of the nation? I want the Hon'ble Member to ponder over this.

[THE VICE-CHAIRMAN (SHRI TRILOKINATH CHATURVEDI) IN THE CHAIR] I do accept one thing. At times we borrow money from foreign countries and also from International agencies like World Bank for the development of our country, for setting up Industries and for several such purposes. This borrowing is done by the central government. The party ruling at the centre is responsible for these borrowings. Again it is the people who have voted a party or parties to power. It is the duty of the Government to respect the feelings of the people and live up to the faith reposed by the people. This is how a democracy functions. But if we have to say that every agreement entered into should be laid before Parliament, I am afraid of its outcome, particularly with regards to Defence matters. I don't think it is proper.

Sir, there are some other agreements like the one signed with Bangladesh on Farakka water recently. We have also signed an agreement with Nepal on sharing of electricity. Such agreements are entered into in the interest of the nation andthey have been discussed in the Parliament as well. But these agreements should not be clubbed with agreements on sensitive issues and secret defence matters. We should be ready to

*English translation of the original speech in Tamil.

make any sacrifice for the sake of our nation. The interest of the nation is supreme. Even in Parliament when Ministers are answering, we do not compel them to reveal everything relating to defence and other sensitive issues. We give them exemption not to reveal any secrets for that might go against our nation's interest. That is why I am constrained to say that Mr. Baby's Bill has wider ramification. Even in a democracy, there ought to be some measure of secrecy in the supreme interest of the nation.

We have been witness to the activities of various foreign terrorist outfits and agencies like ISI on our soil. They have been attempting to get defence secrets and other informations on sensitive issues and then pass on such secrets to foreign countries to jeopardise our security. They are working hand in gloves with some traitors here. Many such cases have come to light and such persons have been prosecuted and imprisoned. We know all this. The Hon'ble Member, the mover of the Bill has said that by lauing Agreements before parliament, there could be a debate on that after which the reatification by Parliament could be obtained. I welcome the spirit behind his bill. He thinks, the United Front Government will make everything known to Parliament. This Government has been claiming that it is very transparent and conceals nothing. But I have been seeing this Government for the last nine months. While replying in Parliament, the Ministers are reluctant to reveal facts. The Hon'ble Member will agree with me. They do talk of Common Minimum Programme and so on. But in Parliament, the Ministers function just as ministers did in Congress Government. The soft sopken transparency is not seen in Parliament. Rather ministers have become very reluctant to take the House into confidence on many issues. I am not accusing them. But the fact is that they are not in a position to reveal everything they know. That is why I am not ready to accept that it is a transparent Government No Government can be completely transparent. Be it democracy or autocracy, there can't be total transparancy

Sir, the hon'ble Members has raised the question of accountability of the Government with regards to the money borrowed by the Government from foreign countries and international agencies. He says that the Parliament ought to know, how much was borrowed for what purpose, how much was spent and whether the fund has been prudently spent for the purpose it was meant for. His intention is genuine. And this can be done while we discuss the budget of the Government. We can raise all these questions there. But it won't be in the interest of the nation to say that every agreement and details of international borrowing should be laid before Parliament. I would like to make one thing very clear. An elected Government, a popular Government, a representative Government has every right to enter into an agreement. This right has been guaranteed by the constitution. The Council of Ministers has the right to decide as to which should be laid before Parliament and which should not be. That is the reason why I find it difficult to support the Bill, even though I welcome the genuine intentions of the Hon'ble member.

Sir, I wish to refer to an article written by a former Supreme Court judge on the matter raised by Mr. M.A. Baby. The former judge has referred to the right of every citizen to know as to what is going on in the country, what the Government is doing. But we have to see whether it is pragmatic. Be it a Congress Government or a Communist Government, single party Government or coalition Government, we know the difficulties in working with total transparancy. When there was congress headed coalition Government in Kerala Mr. Baby used to raise law and order problem in Kerala. He used to talk of several things in Kerala. But today what is happening there? There is coalition Government

headed by Marxists. Even now there is law and order problem there. Political parties can come to power and go. But the bureaucracy is there The officials are there to keep the Government machinery going.

Sir, in the larger interest of the nation and in order to safeguard our country's security, I am not inclined to support this Bill. With these words I conclude.

SHRI R. K. KUMAR (Tamil Nadu): Sir, just one sentence on what Mr. Narayanasamy has said about minister's reluctance.

*Mr. Narayanasamy said that during the last nine months, while answering in Parliament, Ministers do not reveal the whole truth and that they withhold certain things from the House. There could be two things about not revealing facts. Either they are reluctant or they are ignorant.

SHRI V. NARAYANASAMY: The latter reason may be Mr. Bommai's problem.

THE VICE-CHAIRMAN (SHRI TRILOKI NATH CHATURVEDI): Dr. Y. Radhakrishna Murty. He is not here. Mr. Minister.

SHRI I.K. GUJRAL: Sir, may I make a very unusual request to you and, through you, Sir, to our hon. colleagues? This Bill came to my charge only recently. Can you permit me to reply to this Bill next time?

SHRI GURUDAS DAS GUPTA (West Bengal): The Bill will lapse. How can it be done, Sir?

SHRI M.A. BABY: In that case I have a suggestion to make Sir. If the Chair agrees, on the Minister's intervention, the reply can be given next Friday. Now Mr. Gurudas Das Gupta's Bill is there.

SHRI V. NARAYANASAMY: My Bill is there.

*English translation of the original remarks in Tamil

SHRI M.A. BABY: The next Bill can be taken up now. Sir, for Minister's intervention and for my reply, some time can be given some other day. Now we can continue with the next Bill. The Chair is free to give a ruling on this. I am not in disagreement with the hon. Minister.

SHRI I.K. GUJRAL: If you want me to make a simple reply and say, "Yes or no", it does not mean anything.

SHRI M.A. BABY: Sir, the next Private Members' Bill can be taken up. The Minister's intervention and my reply can be reserved.

SHRI V. NARAYANASAMY: I would like to raise one point. Whatever you decide about the Minister's intervention and Mr. Baby's reply, I have no objection. But my issue has not been settled. The Deputy Chairman said that she would sort out the problem relating to two lots that had taken place. In the first lot, there was Shri Gurudas Das Gupta's name and in the second lot my name was the first. According to the original schedule, my Bill was to be taken up today. I don't know how Shri Gurudas Das Gupta's name came first. Then he raised a point of order. The Deputy Chairman said that she would sort out the matter. Now the point is how to go about it. According to the draw, the discussion was to be taken up on a particular day. But that day was a holiday. So far as I know it lapses. That is the rule. Let us go by the rule. According to the Bulletin that has been issued by the Secretariat, my name is at number one. Therefore, my Bill should be taken up for discussion. It is a very important Bill for the establishment of a permanent bench of the High Court of Madras.

THE VICE-CHAIRMAN (SHRI TRILOKI NATH CHATURVEDI): The Deputy Chairman has already mentioned that she will try to sort it out. I think it will be in the fitness of things if the Deputy Chairman clarifies this particular point; otherwise, I will have to adopt a

bit unusual procedure. Half-an-hour before, there was some discussion on this.

SHRI M.A. BABY: Sir, I would like to make a suggestion for your consideration or for the consideration of the Deputy Chairman. We can decide that in the remaining period of the Session, when we reassemble, only these two Bill will be taken up. We will not take up any other Bill for consideration. But which Bill should be given priority, the Chair can decide it.

THE VICE-CHAIRMAN (SHRI TRILOKI NATH CHATURVEDI): Apart from Shri Narayanasamy, Shri Pachouri and other members have also raised some points in regard to the complex situation that has arisen. I think in these circumstances, probably it will be appropriate and correct if we proceed in this particular matter after the Deputy Chairman clarifies it. I am requesting the Secretariat to seek her instructions on this particular matter.

SHRI M.A. BABY: Meanwhile any other business can be taken up.

THE VICE-CHAIRMAN (SHRI TRILOKI NATH CHATURVEDI): the Human Resource Development minister wants to say something.

THE MINISTER OF HUMAN RESOURCE DEVELOPMENT (SHRI S.R. BOMMAI): I think, till the Deputy Chairman clarifies it, the House will have to be adjourned.

SHRI I.K. GUJRAL: Sir, I am sorry I am making it difficult for you and for the House. This Bill came before the House in 1992. I can see it from this paper. It has been there for five years. I am sure the house would expect me to make a very comporehensive reply. If the House wants me to read out.....

SHIR S.R. BOMMAI: He is on a different point altogether. he has mentioned about lots.

SHRI I.K. GUJRAL: I See.

THE VICE-CHAIRMAN (SHRI TRILOKI NATH CHATURVEDI): We have to sort it out. If the hon. Minister of External Affairs agrees to reply, the situation will be different. Naturally, the hon. Minister, in all fairness, wants to summarise all the facts that were mentioned during the discussion earlier and thereafter he wants to give his reply. There is certainly a point in it. Shri Narayanasamy has made one suggestion. Does any other hon. Member want to make any othersuggestion? Some other work is also listed here. Now we can take up clarifications.....

SHRI GURUDAS DAS GUPTA: No. Sir. It cannot be. You adjourn the House. Till the private members' Business comes to an end, you cannot take up any other business. Sir, I am very perturbed.

THE VICE-CHAIRMAN (SHRI TRILOKI NATH CHATURVEDI): I can understand it. The whole House is perturbed.

SHRI GURUDAS DAS GUPTA: I express my deep anguish at the way in which the whole thing is being handled. Neither I want any favour not I want any discrimination. Mr. Vice-Chairman, Sir, either you decide it or they should decide it or anybody else decide it. It is not that something should hang on like this. This is Parliament. We cannot do away with the rules. The Private members' Business is Private Members' Business. We started it at 3 o'clock, it wil end at 5.30 p.m. Till then we can go on discussing it; otherwise, you can adjourn the House and go to her and seek her guidance.

THE VICE-CHAIRMAN (SHRI TRILOKI NATH CHATURVEDI): There is a point in what Shri gurudas Das Gupta has said. We have to abide by the rules and carry on with the work of the house. But sometimes some unusual situaiton arises. That is why various suggestions have been made. Mr. baby has made some suggestions. Mr. Narayanasamy, has also made some suggestions.

SHRI GURUDAS DAS GUPTA: Sir, you can adjourn the House. What is the harm?

THE VICE-CHAIRMAN (SHRI TRILOKI NATH CHATURVEDI): As I said an unusual situation has arisen. But can we find a way out which enables the house to conduct its business, particularly, on a day which is devoted to the Private members' Business which we so much cherish? This is a privilege which we so much cherish. That is why I was wondering.....

SHRI GURUDAS DAS GUPTA: Sir, I can help you. I can start speaking on this Bill.

THE VICE-CHAIRMAN (SHRI TRILOKI NATH CHATURVEDI): I think you have already spoken.

SHRI GURUDAS DAS GUPTA: Yes, Sir.

THE VICE-CHAIRMAN (SHRI TRILOKI NATH CHATURVEDI): Mr. Kumar has already spoken. What can we do? I attach utmost importance to the work of the House. If you want, we can adjourn the House for five minutes.

AN HON. MEMBER: Sir, adjourn for ten minutes.

THE VICE-CHAIRMAN (SHRI TRILOKI NATH CHATURVEDI): Ten minutes will be too long. I adjourn the House for five minutes to see how the situation can be resolved.

I adjourn the House for five minutes.

The House then adjourned at half past four of the clock.

The House reassembled at forty five minutes past four of the clock, The Vice-Chairman (Shri Triloki Nath Chaturvedi) in the Chair.

THE VICE-CHAIRMAN (SHRI TRILOKI NATH CHATURVEDI): Now, Mr. Ibrahim. Mr. Minister, you may make your statement. Before you make your statement, I request Mr. Swaminathan to take the Chair.

[THE VICE-CHAIRMAN (SHRI G. SWAMINATHAN) in the chair]

THE VICE-CHAIRMAN (SHRI G. SWAMINATHAN): Mr. Ibrahim, please proceed.

STATEMENTS BY MINISTER —

Coverage of Shri Krishna Menon's Birth Centenary Celebrations by Doordarshan

THE MINISTER OF CIVIL AVIATION AND MINISTER OF INFORMATION AND BROADCASTING (SHRI C. M. IBRAHIM): Mr. Vice-Chaairman, Sir,

The Birth Centenary Celebrations of Shri Krishna Menon are being covered by Doordarshan in a befitting manner keeping in view Shri Menon's contribution as one of the prominent leaders of this country. Doordarshan is also planning to mount suitable programmes on Shri Menon's contribution on the National Network of Doordarshan as well as its Regional Kendra at Thiruvananthapuram.

It is not correct to say that no coverage was given to the Inaugural Function of the Centenary Celebration held in New Delhi on Ist March, 1997. The function in fact was scheduled for. 5.00 p.m. The function continued for nearly one hour fifteen minutes. In order to give full justice to the event and in the interest of proper coverage, the News Division of Doordarshan decided to use the footage, prominently, in their News bulletins the next morning, i.e. 2nd March, 1997. Consequently the coverage was highlighted at 7.00 a.m. in HIndi, 8.15 a.m. in English, 9.00 a.m. in the International News Bulletins in English and at 11.45 a.m. in Hindi on 2.3.97. Hon'ble Members will approciate that the coverage could not have been used properly on the Ist March itself since the function was over only at about 6.15 p.m. on 1.3.97. This coverage on 2.3.97 took